

RESOLUTION NO. 2475

NOW, THEREFORE, BE IT RESOLVED BY THE ALBANY CITY COUNCIL that it does hereby accept the following:


| <u>Grantor</u> | <u>Purpose</u> |
|--|---|
| Greater Albany Public Schools formerly Union High School District # 8 | A permanent easement covering a strip of land 15' wide by 25' deep for the purpose of maintenance of a pump station on Queen Avenue SW between Liberty and Elm Streets SW (see attached legal description) |

DATED this 13th day of June, 1984.



Mayor

ATTEST:



City Recorder

EASEMENT FOR A SANITARY SEWER PUMP STATION

THIS AGREEMENT, made and entered into this 5 day of June 1984, by and between Union High School District #8 herein called grantors, and the CITY OF ALBANY, a Municipal corporation, herein called "City."

WITNESSETH:

That for and in consideration of the total compensation to be paid by the City, the grantors have this day bargained and sold and by these presents do bargain, sell, convey and transfer unto the City of Albany, an easement and right-of-way, including the right to enter upon the real property hereinafter described, and to maintain and repair sanitary sewer pump station for the purpose of conveying sewer over, across, through and under the lands hereinafter described, together with the right to excavate and refill ditches and/or trenches for the location of the said pump station and the further right to remove trees, bushes, undergrowth and other obstructions interfering with the location and maintenance of the said pump station.

This agreement is subject to the following terms and conditions:

1. The right-of-way hereby granted consist of:
 - a. a permanent easement which covers a strip of land 15 feet wide by 25 feet deep for the purpose of maintenance over the property described herein.
2. The permanent easement described herein grants to the City, and to its successors, assigns, authorized agents, or contractors, the perpetual right to enter upon said easement at any time that it may see fit, for maintenance and repair purposes.
3. The land affected by this agreement is located in the County of Linn, State of Oregon; and is a portion of the tract as shown on the attached drawing, marked "Exhibit A," which is herewith made a part of this agreement.
4. The true, actual, and total compensation to be paid by the City to the Grantors, in exchange for the easement rights herein described and granted is:
 - a. The approval of Conditional Use CU-04-84
5. The City hereby covenants with the Grantors that the compensation agreed upon herein shall be paid to the Grantors within a period of thirty (30) days from the date of this instrument.
6. The Grantors do hereby covenant with the City that they are lawfully seized and possessed of the real property above described and that they have a good and lawful right to convey it or any part thereof and that they will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.
7. No permanent structure shall be constructed on this easement.

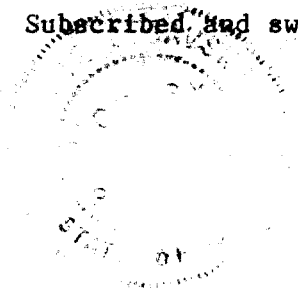
IN WITNESS WHEREOF, the Grantors have hereunto fixed their hands and seals the day and year below written.

Greater Albany Public Schools formerly
Union High School Dist # 8 City
James Grossnicklaus

STATE OF OREGON)
County of Linn)ss
City of Albany)

On this 5th day of June, 1984 personally appeared the above named James Grossnicklaus and acknowledged the foregoing instrument to be their voluntary act and deed.

Subscribed and sworn to before me this 5th day of June, 1984



Jackie Cegorak
Notary Public for Oregon

My Commission Expires: 2/17/88

STATE OF OREGON)
County of Linn)ss
City of Albany)

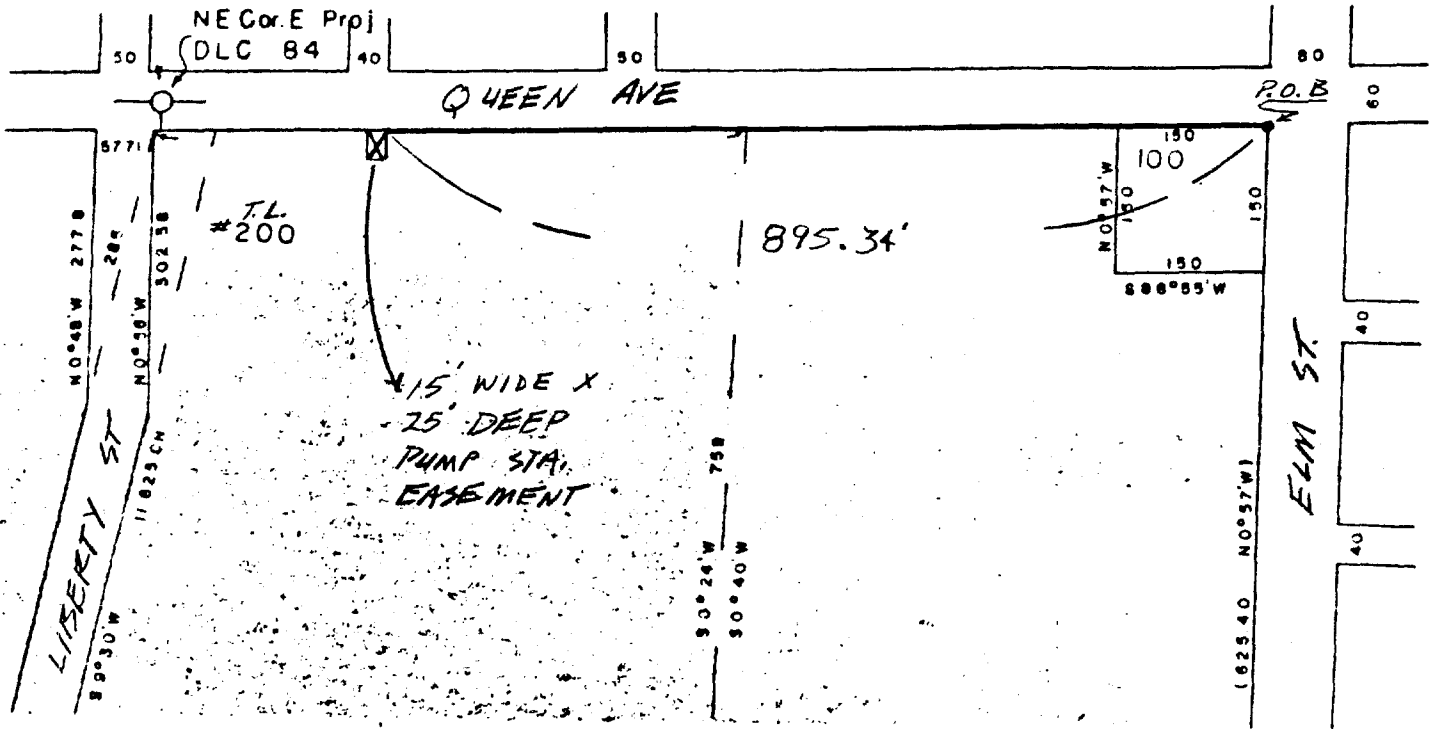
I, William B. Barrons, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 2475, do hereby accept on behalf of the City of Albany, the above easement pursuant to the terms thereof.

Dated: June 14, 1984

CITY OF ALBANY, OREGON
William B. Barrons
City Manager

[Signature]
City Recorder

11-4W-12D



DESCRIPTION

Beginning at the southwest corner of Queen Avenue and Elm Street in the City of Albany, Linn County, Oregon; thence west along the south right-of-way line of Queen Avenue 895.34 feet to the northeast corner of a 15 foot wide by 25 foot deep easement for a sanitary sewer pump station; thence south 25 feet; thence west 15 feet; thence north 25 feet; thence east 15 feet and there terminating.

563831

June, 25, 1984

STATE OF OREGON
County of Linn

I hereby certify that the attached was received and duly recorded by me in Linn County records:

Volume: MF 362 Page: 428

At 8:30 O'clock a.m.

DEL W. RILEY
Linn County Clerk

By Y. H. H. Deputy

1200
PO Box 419
Albany, Oregon

Resolution No. 2475

Recorded Document Recorder File No. 1554